

States Government and the People's Republic of China, including the role of the Department of State in facilitating such cooperation; and

(B) assessing the implications of the cooperation described in subparagraph (A) on the national security of the United States.

(2) **ELEMENTS.**—In conducting the review and assessment under paragraph (1), the Comptroller General shall examine all nuclear cooperation activities between the United States Government and the People's Republic of China during the 10-year period ending on the date of the enactment of this Act, including—

(A) all trips relating to nuclear cooperation taken by officials of the United States Government to the People's Republic of China;

(B) all exchanges of goods, services, data, or information between officials of the United States Government and the Government of the People's Republic of China or any entity owned or controlled by that Government or organized under the laws of the People's Republic of China;

(C) all instances in which officials of the United States Government hosted officials from, or significantly tied to, the Government of the People's Republic of China or any entity described in subparagraph (B).

(3) **DEADLINE AND REPORT.**—Not later than 2 years after Comptroller General initiates the review and assessment under paragraph (1), the Comptroller General shall—

(A) complete the review and assessment; and

(B) submit to the appropriate committees of Congress a report containing the results of the review and assessment, which shall be unclassified but, if necessary, may include a classified annex.

(4) **PUBLICATION.**—Not later than 60 days after the date on which the Comptroller General submits the report required by paragraph (3), the Comptroller General shall make the report publicly available in an easily accessible electronic format, with appropriate redactions for information that, in the determination of the Secretary of Energy, would be damaging to the national security of the United States if disclosed.

(d) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to prohibit—

(1) United States commercial activities that are consistent with the laws and regulations of the United States; or

(2) limited diplomatic engagement or dialogue—

(A) including regarding protection of the intellectual property and trade secrets of United States persons; and

(B) except for any diplomatic engagement or dialogue relating to or aimed at facilitating the transfer of nuclear technology.

(e) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term “appropriate committees of Congress” means—

(A) the Committee on Energy and Natural Resources and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Energy and Commerce and the Committee on Foreign Affairs of the House of Representatives.

(2) **NUCLEAR COOPERATION.**—The term “nuclear cooperation” means cooperation with respect to nuclear activities, including the development, use, or control of atomic energy, including any activities involving the processing or utilization of source material, byproduct material, or special nuclear material (as those terms are defined in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014)).

(3) **NUCLEAR COOPERATION ACTIVITIES.**—The term “nuclear cooperation activities” means activities relating to nuclear cooperation.

(4) **RESTRICTION ON THE TRANSFER OF UNITED STATES CIVIL NUCLEAR TECHNOLOGY TO THE PEOPLE'S REPUBLIC OF CHINA.**—The term “restriction on the transfer of United States civil nuclear technology to the People's Republic of China” includes the 2018 United States Policy Framework on Civil Nuclear Cooperation with China of the Department of Energy.

**SA 1898.** Mr. MENENDEZ (for himself, Mr. MERKLEY, Mr. RUBIO, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division C, add the following:

**SEC. 33. ADMISSION OF CERTAIN HONG KONG RESIDENTS.**

(a) **SHORT TITLE.**—This section may be cited as the “Hong Kong Safe Harbor Act”.

(b) **DESIGNATION OF CERTAIN RESIDENTS OF HONG KONG AS PRIORITY 2 REFUGEES.**—

(1) **IN GENERAL.**—The Secretary of State, in consultation with the Secretary of Homeland Security, shall designate, as Priority 2 refugees of special humanitarian concern, the following categories of aliens:

(A) Individuals who are residents of the Hong Kong Special Administrative Region who suffered persecution, or have a well-founded fear of persecution, on account of their peaceful expression of political opinions or peaceful participation in political activities or associations.

(B) Individuals who have been formally charged, detained, or convicted on account of their peaceful actions as described in section 206(b)(2) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5726).

(C) The spouses, children, and parents (as such terms are defined in subsections (a) and (b) of section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)) of individuals described in subparagraph (A) or (B), except such parents who are citizens of a country other than the People's Republic of China.

(2) **PROCESSING OF HONG KONG REFUGEES.**—The processing of individuals described in paragraph (1) for classification as refugees may occur in Hong Kong or in a third country.

(3) **ELIGIBILITY FOR ADMISSION AS REFUGEES.**—An alien may not be denied the opportunity to apply for admission as a refugee under this subsection primarily because such alien—

(A) qualifies as an immediate relative of a citizen of the United States; or

(B) is eligible for admission to the United States under any other immigrant classification.

(4) **FACILITATION OF ADMISSIONS.**—An applicant for admission to the United States from the Hong Kong Special Administrative Region may not be denied primarily on the basis of a politically motivated arrest, detention, or other adverse government action taken against such applicant as a result of the participation by such applicant in protest activities.

(5) **EXCLUSION FROM NUMERICAL LIMITATIONS.**—Aliens provided refugee status under this subsection shall not be counted against

any numerical limitation under section 201, 202, 203, or 207 of the Immigration and Nationality Act (8 U.S.C. 1151, 1152, 1153, and 1157).

(6) **REPORTING REQUIREMENTS.**—

(A) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of State and the Secretary of Homeland Security shall submit a report regarding the matters described in subparagraph (B) to—

(i) the Committee on the Judiciary of the Senate;

(ii) the Committee on Foreign Relations of the Senate;

(iii) the Committee on the Judiciary of the House of Representatives; and

(iv) the Committee on Foreign Affairs of the House of Representatives.

(B) **MATTERS TO BE INCLUDED.**—Each report required under subparagraph (A) shall include—

(i) the total number of applications that are pending at the end of the reporting period;

(ii) the average wait-times for all applicants who are currently pending—

(I) employment verification;

(II) a prescreening interview with a resettlement support center;

(III) an interview with U.S. Citizenship and Immigration Services; or

(IV) the completion of security checks; and

(iii) the number of denials of applications for refugee status, disaggregated by the reason for each such denial.

(C) **FORM.**—Each report required under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(D) **PUBLIC REPORTS.**—The Secretary of State shall make each report submitted under this paragraph available to the public on the internet website of the Department of State.

(7) **SATISFACTION OF OTHER REQUIREMENTS.**—Aliens granted status under this subsection as Priority 2 refugees of special humanitarian concern under the refugee resettlement priority system shall be considered to satisfy the requirements under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) for admission to the United States.

(c) **WAIVER OF IMMIGRANT STATUS PRESUMPTION.**—

(1) **IN GENERAL.**—The presumption under the first sentence of section 214(b) of the Immigration and Nationality Act (8 U.S.C. 1184(b)) that every alien is an immigrant until the alien establishes that the alien is entitled to nonimmigrant status shall not apply to an alien described in paragraph (2).

(2) **ALIEN DESCRIBED.**—

(A) **IN GENERAL.**—An alien described in this paragraph is an alien who—

(i) is a resident of the Hong Kong Special Administrative Region on February 8, 2021;

(ii) is seeking entry to the United States to apply for asylum under section 208 of the Immigration and Nationality Act (8 U.S.C. 1158); and

(iii)(I) had a leadership role in civil society organizations supportive of the protests in 2019 and 2020 relating to the Hong Kong extradition bill and the encroachment on the autonomy of Hong Kong by the People's Republic of China;

(II) had an organizing role for such protests;

(III) acted as a first aid responder for such protests;

(IV) suffered harm while covering such protests as a journalist;

(V) provided paid or pro-bono legal services to 1 or more individuals arrested for participating in such protests; or

(VI) during the period beginning on June 9, 2019, and ending on February 8, 2021, was formally charged, detained, or convicted for his or her participation in such protests.

(B) EXCLUSION.—An alien described in this paragraph does not include any alien who is a citizen of a country other than the People's Republic of China.

(d) REFUGEE AND ASYLUM DETERMINATIONS UNDER THE IMMIGRATION AND NATIONALITY ACT.—

(1) PERSECUTION ON ACCOUNT OF POLITICAL OPINION.—

(A) IN GENERAL.—For purposes of refugee determinations under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157), an individual whose citizenship, nationality, or residency is revoked for having submitted to any United States Government agency a nonfrivolous application for refugee status, asylum, or any other immigration benefit under the immigration laws (as defined in section 101(a) of such Act (8 U.S.C. 1101(a))) shall be considered to have suffered persecution on account of political opinion.

(B) NATIONALS OF THE PEOPLE'S REPUBLIC OF CHINA.—For purposes of refugee determinations under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157), a national of the People's Republic of China whose residency in the Hong Kong Special Administrative Region, or any other area within the jurisdiction of the People's Republic of China, as determined by the Secretary of State, is revoked for having submitted to any United States Government agency a nonfrivolous application for refugee status, asylum, or any other immigration benefit under the immigration laws shall be considered to have suffered persecution on account of political opinion.

(2) CHANGED CIRCUMSTANCES.—For purposes of asylum determinations under section 208 of the Immigration and Nationality Act (8 U.S.C. 1158), the revocation of the citizenship, nationality, or residency of an individual for having submitted to any United States Government agency a nonfrivolous application for refugee status, asylum, or any other immigration benefit under the immigration laws shall be considered to be a changed circumstance under subsection (a)(2)(D) of such section.

(e) STATEMENT OF POLICY ON ENCOURAGING ALLIES AND PARTNERS TO MAKE SIMILAR ACCOMMODATIONS.—It is the policy of the United States to encourage allies and partners of the United States to make accommodations similar to the accommodations made under this Act for residents of the Hong Kong Special Administrative Region who are fleeing oppression by the Government of the People's Republic of China.

(f) TERMINATION.—This section shall cease to have effect on the date that is 5 years after the date of the enactment of this Act.

**SA 1899.** Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division B, add the following:

#### SEC. 2309. COMPUTING ENCLAVE PILOT PROGRAM.

(a) IN GENERAL.—The Director, in consultation with the Director of the National Institute of Standards and Technology and the Secretary of Energy, shall continue and expand a pilot program to ensure the security of federally supported research data and to assist regional institutions of higher education and their researchers regarding the safeguarding of sensitive information.

(b) STRUCTURE.—In carrying out the pilot program described in subsection (a), the Director shall select not less than 3 and not more than 5 institutions of higher education from among institutions classified under the Indiana University Center for Postsecondary Research Carnegie Classification as a doctorate-granting university with a very high level of research activity, and with a history of working with secure information, for the development, installation, maintenance, or sustainment of secure computing enclaves.

(c) REGIONALIZATION.—

(1) IN GENERAL.—In selecting institutions of higher education under subsection (b), the Director shall give preference to institutions of higher education with the capability of serving other regional institutions of higher education.

(2) GEOGRAPHIC DIVERSITY.—The Director shall ensure that institutions of higher education selected under subsection (b) are geographically dispersed to better meet the needs of regional interests.

(d) PROGRAM ELEMENTS.—The Director shall work with institutions of higher education selected under subsection (b) to—

(1) develop an approved design blueprint for compliance with Federal data protection protocols;

(2) develop a comprehensive list, or a bill of materials, of each binary component of the software, firmware, or product that is required to deploy additional secure computing enclaves;

(3) develop templates for all policies and procedures required to operate the secure computing enclave in a research setting;

(4) develop a system security plan template; and

(5) develop a process for managing a plan of action and milestones for the secure computing enclave.

(e) DURATION.—The pilot program described in subsection (a) shall operate for not less than 3 years.

(f) REPORT.—

(1) IN GENERAL.—The Director shall report to Congress not later than 6 months after the completion of the pilot program described in subsection (a).

(2) CONTENTS.—The report required under paragraph (1) shall include—

(A) an assessment of the pilot program described in subsection (a), including an assessment of the security benefits provided by such secure computing enclaves;

(B) recommendations related to the value of expanding the network of secure computing enclaves; and

(C) recommendations on the efficacy of the use of secure computing enclaves by other Federal agencies in a broader effort to expand security of Federal research.

**SA 1900.** Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1708 submitted by Mrs. BLACKBURN (for herself and Mr. LUJÁN) and intended to be proposed to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security,

science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 3, beginning on line 2, strike “Secretary of Defense” and insert “Secretary of Homeland Security”.

**SA 1901.** Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In subsection (a)(1)(I) of section 2005 (relating to key technology focus areas) of division B, strike “such as batteries” and insert “such as carbon capture utilization and sequestration, advanced fossil (hydrocarbon) energy, and batteries.”.

**SA 1902.** Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, add the following:

#### SEC. 6302. REVIEW AND REFORM OF FOREIGN TRADE REGULATIONS AND EXPORT ADMINISTRATION REGULATIONS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Commerce shall conduct a review, and as appropriate, revise the Foreign Trade Regulations and the Export Administration Regulations to ensure that definitions and regulatory requirements for collecting, compiling, and publishing export trade statistics are being administered and enforced in a fair, consistent, and equitable manner, including for exports of aircraft.

(b) COORDINATION.—In carrying out subsection (a), the Secretary shall provide opportunities for interested non-Federal stakeholders to engage with, and provide input and recommendations to, the Secretary on the revision of the Foreign Trade Regulations and the Export Administration Regulations.

(c) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to Congress on—

(1) the progress made in the review conducted under subsection (a), including details on guidance material and educational outreach to exporters on their reporting obligations under the Foreign Trade Regulations and the Export Administration Regulations;

(2) strategies to ensure compliance for required filings through the Automated Export